## House File 2024 - Introduced

HOUSE FILE 2024 BY WILLS

### A BILL FOR

- 1 An Act relating to state agency authority relating to
- 2 purchasing procedures and executive branch employee travel
- 3 claims.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1	DIVISION I
2	PURCHASING PROCEDURES
3	Section 1. Section 8A.311, subsection 10, Code 2018, is
4	amended to read as follows:
5	10. a. The director shall adopt rules providing that any
6	state agency may, upon request and approval by the department,
7	purchase directly from a vendor if the direct purchasing is
8	more economical than purchasing through the department, if
9	the agency shows that direct purchasing by the state agency
10	would be in the best interests of the state due to an immediate
11	or emergency need, or if the purchase will not exceed ten
12	twenty-five thousand dollars and the purchase would contribute
13	to the agency complying with the targeted small business
14	procurement goals under sections 73.15 through 73.21. A state
15	agency that makes such a purchase shall promptly notify the
16	department that the agency has done so. The notification shall
17	include documentation demonstrating that the purchase met the
18	criteria for a direct purchase provided in this subsection.
19	Prior notification of or approval by the department for such
20	purchases shall not be required. Competitive bidding shall
21	not be required for such purchases. However, for a direct
22	purchase of twenty-five thousand dollars or less that is not
23	due to an immediate or emergency need, the state agency shall,
24	if multiple bidders are practicable, solicit bids from at least
25	three Iowa-based businesses and may select the bid that best
26	meets the needs of the state agency.
27	b. Any member of the executive council may bring before
28	the executive council for review a decision of the director
29	granting a state agency request for direct purchasing. The
30	executive council shall hear and review the director's decision
31	in the same manner as an appeal filed by an aggrieved bidder,
32	except that the three-day period for filing for review shall
33	not apply.
34	Sec. 2. Section 8A.311A, subsection 3, paragraph a, Code
35	2018, is amended to read as follows:

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- a. The department determines, upon a request by the agency, 1 2 that the agency can satisfy satisfies the requirements for 3 purchase of the good or service directly from a vendor as 4 provided in section 8A.311, subsection 10, paragraph "a". 5 DIVISION II 6 TRAVEL CLAIMS Sec. 3. Section 8A.512A, Code 2018, is amended by striking 8 the section and inserting in lieu thereof the following: 9 8A.512A Executive branch employee travel. 10 1. A claim for reimbursement for any out-of-state travel, 11 conference, or related expenditures of an executive branch 12 employee associated with the employee's official duties shall 13 be allowed upon the approval of the claim by the head of the 14 employee's state agency. A state agency with authority to 15 approve claims under this section shall establish a process 16 for a detailed review of claims selected by the department to 17 determine the appropriateness of the claims for reimbursement. 2. a. For purposes of this section, "executive branch 18 19 employee" means an employee of the executive branch as defined 20 in section 7E.2, other than a member or employee of the state 21 board of regents and institutions under the control of the 22 state board of regents. 23 For purposes of this section, "out-of-state travel" does
- 24 not include out-of-state travel incidental to travel between a 25 travel departure point in this state and a travel destination 26 point in the city of Carter Lake.
- 27 **EXPLANATION**
- 28 The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly. 29
- 30 Division I of this bill concerns purchasing procedures under 31 the department of administrative services. Current law permits 32 a state agency, upon request and approval by the department 33 of administrative services, to make a purchase of goods or 34 services directly from a vendor, rather than purchasing through 35 the department, if one of certain conditions is met. One of

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1 the conditions is if the purchase will not exceed \$10,000 and 2 the purchase would contribute to the agency complying with 3 targeted small business procurement goals. The bill modifies that condition to permit a state agency 5 to engage in direct purchasing for any purchase that will not 6 exceed \$25,000. The bill also strikes the requirement for 7 a prior request and approval by the department for direct 8 purchasing. The bill requires a state agency that makes such 9 a purchase to promptly notify the department that it has done The bill provides that the notification must include 11 documentation demonstrating that the purchase met the criteria 12 for a direct purchase provided in the bill. The bill provides 13 that prior notification of or approval by the department for 14 such purchases shall not be required. The bill provides that 15 competitive bidding shall not be required for such purchases. 16 In addition, for a direct purchase of \$25,000 or less that is 17 not due to an immediate or emergency need, the state agency 18 shall, if multiple bidders are practicable, solicit bids from 19 at least three Iowa-based businesses and select the bid that 20 best meets the needs of the state agency. 21 The bill also provides that a state agency that meets the 22 requirements for direct purchasing provided in the bill may 23 engage in direct purchasing instead of purchasing pursuant to a 24 master contract established by the department. Division II of the bill concerns claims for reimbursement of 26 out-of-state travel by executive branch employees. Current law 27 requires the department of administrative services to develop 28 and implement an electronic travel authorization form which 29 shall be used by an executive branch employee when requesting 30 reimbursement for out-of-state travel. The bill strikes the 31 requirement for development and use of the electronic travel 32 form and instead provides that a claim for reimbursement shall 33 be allowed upon the approval of the claim by the head of the 34 employee's state agency. The bill requires each state agency 35 with authority to approve claims to establish a process for a

1 detailed review of selected claims.